

**United States District Court**

**for**

**The Western District of New York**

**RECEIVED**  
SEP 17 2008  
WILLIAM M. SKRETNY  
United States District Judge  
Western District of New York

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing Is Attached)*

**Name of Offender:** Brett Page

**Case Number:** 1:06-CR-00013-001

**Name of Sentencing Judicial Officer:** William M. Skretny, U.S. District Judge

**Date of Original Sentence:** May 25, 2006

**Original Offense:** Unlawful Dealing in Firearms, in violation of Title 18 U.S.C. §922(a)(1)(A).

**Original Sentence:** Fifteen (15) months custody of the Bureau of Prisons, followed by Three (3) years supervised release. Special conditions include: drug/alcohol treatment and testing; defendant shall become current with child support payment and search.

**Type of Supervision:** Supervised Release

**Supervision Commenced:** August 6, 2007

---

**PETITIONING THE COURT**

[X] To modify the conditions of supervision as follows:

The defendant shall comply with the standard condition of supervision requiring full-time employment at a lawful occupation. This may include participation in training, counseling, and/or daily job searching as directed by the probation officer. If not in compliance with the condition of supervision, the defendant may be required to perform up to 20 hours of community service per week until employed, as approved or directed by the probation officer.

**CAUSE**

On 6/10/08, I met with Mr. Page at his residence to discuss employment. The subject reports he has been searching for employment to no avail. As a result, he was placed on weekly office reporting and instructed to submit weekly employment logs. He was advised that if he should fail to locate employment within 60 days, a modification of his conditions would be submitted to the Court requiring him to complete a period of community service.

RE: Brett Page  
1:06-CR-00013-001

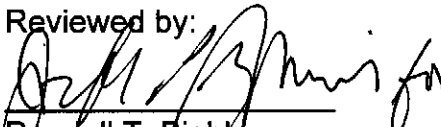
On 9/8/08, the subject reported to the U.S. Probation Office and reported that he was hired by EGW Temporary Agency. He reported that he begins full-time employment on 9/10/08, with the company Manitoba in Lancaster, NY. I expressed my concern with temporary employment and the fact that it may only be a short term assignment. Mr. Page was instructed to call me upon the termination of this assignment. Due to the nature of temporary agencies, we agreed that a modification of his conditions would be submitted to the Court.

Mr. Page was given ample opportunity to locate regular full-time employment and failed to do so within the required time frame of 60 days. As a result, he obtained employment that is temporary in nature. It was this officer's opinion based upon the employment logs he submitted, that he was not searching to the best of his ability. As a result, we agreed to modify his conditions to include performance of 20 hours of community service per week when he is unemployed.

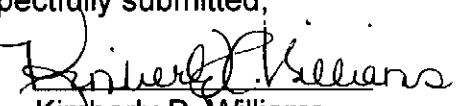
Mr. Page has agreed to the imposition of the requested modification of his sentence as indicated by the attached Probation Form 49. The subject executed this form voluntarily waiving his right to a hearing.

Should the Court have any questions regarding this recommendation, please feel free to contact the undersigned officer.

Reviewed by:

  
Randall T. Biehl  
Supervising U.S. Probation Officer

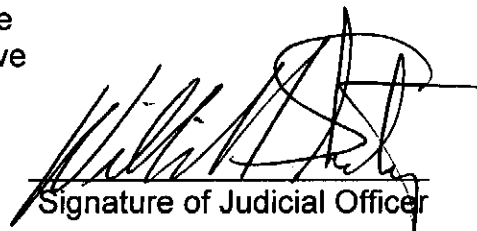
Respectfully submitted,

by   
Kimberly D. Williams  
U.S. Probation Officer  
Date: September 15, 2008

---

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer  
9/22/08  
Date

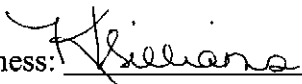
**United States District Court  
Western District of New York**

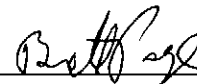
**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that all previously imposed conditions will remain in effect.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall comply with the standard condition of supervision requiring full-time employment at a lawful occupation. This may include participation in training, counseling, and/or daily job searching as directed by the probation officer. If not in compliance with the condition of supervision, the defendant may be required to perform up to 20 hours of community service per week until employed, as approved or directed by the probation officer.

Witness:   
U.S. Probation Officer  
Kimberly D. Williams

Signed:   
Supervised Releasee  
Brett Page  
9/8/08  
Date